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Attorneys for Defendants
UBER TECHNOLOGIES, INC.
and OTTOMOTTO LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

WAYMO LLC,

Plaintiff,

v.

UBER TECHNOLOGIES, INC.,
OTTOMOTTO LLC; OTTO TRUCKING LLC,

Defendants.

Case No. 3:17-cv-00939-WHA

**DECLARATION OF
MICHELLE YANG IN SUPPORT OF
DEFENDANTS' ADMINISTRATIVE
MOTION TO FILE UNDER
SEAL THEIR RESPONSE TO
WAYMO'S PRECIS IN SUPPORT OF
ITS REQUEST TO FILE A MOTION
FOR RELIEF BASED ON
DEFENDANTS' LITIGATION
MISCONDUCT**

I, Michelle Yang, declare as follows:

1. I am an attorney at the law firm of Morrison & Foerster LLP. I make this declaration based upon matters within my own personal knowledge and if called as a witness, I could and would competently testify to the matters set forth herein. I make this declaration in support of Defendants' Administrative Motion to File Under Seal Their Response to Waymo's Precip in Support of Its Request to File a Motion for Relief Based on Defendants' Litigation Misconduct ("Response") and the accompanying exhibits to the Declaration of Camila Tapernoux ("Tapernoux Decl.").

2. I have reviewed the following documents and confirmed that only the portions identified below regarding Exhibits J and M merit sealing. The portions of the Response and Exhibits F, G, or H identified below do not contain sealable information from Plaintiff:

Document	Portions to Be Filed Under Seal	Designating Party
Response	Highlighted Portions	Plaintiff
Tapernoux Decl. Ex. F	Entirety	Plaintiff
Tapernoux Decl. Ex. G	Entirety	Plaintiff
Tapernoux Decl. Ex. H	Entirety	Plaintiff
Tapernoux Decl. Ex. J	Highlighted Portions	Defendants
Tapernoux Decl. Ex. M	Highlighted Portions	Defendants

3. Defendants do not believe the green-highlighted portions of the Response or Exhibits F, G, or H merit sealing, but Waymo designated this material "Highly Confidential – Attorneys' Eyes Only." Defendants file this material under seal in order to provide Waymo the opportunity to justify sealing pursuant to Local Rule 79-5, but oppose any attempt to seal this information.

4. The blue-highlighted portions of Exhibits J and M contain highly confidential information concerning the identity of certain third party competitors, specific research objectives, financial numbers regarding research budgets, and confidential business negotiations.

1 This information has been maintained as confidential. Disclosure of this information would allow
2 competitors to understand Uber's business strategy in the self-driving industry, including what
3 information Uber has and does not have, to the detriment of Uber's competitive standing.

4 5. The blue-highlighted portions on page 38 of Exhibit J and page 208 of Exhibit M
5 contain references to a confidential third party vendor Uber used to conduct open-source research.
6 Defendants request this information be sealed to protect this confidential business relationship
7 from disclosure and this third party vendor from possible harassment.

8 6. Defendants' request is narrowly tailored to portions that merit sealing.

9 I declare under penalty of perjury that the foregoing is true and correct. Executed this
10 14th day of January, 2018 at Washington, District of Columbia.

11
12 /s/ Michelle Yang

Michelle Yang

ATTESTATION OF E-FILED SIGNATURE

I, Arturo J. Gonzalez, am the ECF User whose ID and password are being used to file this Declaration. In compliance with Civil L.R. 5-1(i)(3), I hereby attest that Michelle Yang has concurred in this filing.

Dated: January 14, 2018

/s/ Arturo J. González

ARTURO J. GONZÁLEZ